

## EXHIBIT 5

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

UNITED STATES OF AMERICA, :  
Plaintiff, :  
vs. : Civil Action No.  
THE STATE OF MISSISSIPPI, : 3:16-cv-00622  
Defendant. :

DEPOSITION OF: ROBERT DRAKE

DATE: Friday, September 21, 2018

TIME: 8:51 a.m.

LOCATION: Capital Reporting Company

1250 Eye Street, N.W.

Washington, D.C.

REPORTED BY: Denise M. Brunet, RPR

Reporter/Notary

Capital Reporting Company  
1250 Eye Street, N.W., Suite 350  
Washington, D.C. 20005

1           A       I think I heard that they exist, but I  
2       don't really know the details.

3           Q       In your experience, have you found any  
4       state or states that are better at the mobile  
5       crisis services they offer than the other states?

6           A       You have to remember that mobile crisis  
7       services is part of the ACT model. And so some  
8       states have lots of ACT teams and some states  
9       don't and they have these mobile crisis teams  
10      instead. I've never tried to rate the states on  
11      these dimensions.

12          Q       Is it your experience that, in some  
13      states, as you just said, mobile crisis services  
14      are offered as part of ACT and, in some cases --  
15      in some states, are they offered separate from  
16      ACT?

17          A       Yes.

18          Q       All right. How do you determine whether  
19      a state is offering mobile crisis services in  
20      sufficient quantity?

21          A       I don't know. I never tried to do that.

22          Q       As part of your assessment in this case,

1           Q       What are some of the other primary types  
2 of housing?

3           A       I don't know what the current jargon is  
4 about what they're called, but in some states they  
5 pay families to take people in and, in some  
6 states, they have small housing units that are  
7 part of the mental health center. In some states,  
8 they have a variety of different kinds of  
9 congregate or group housing. And in some states,  
10 they have more permanent supported housing. So I  
11 think it varies quite a bit.

12          Q       Did you make any determinations regarding  
13 the quantity of permanent supported housing that  
14 Mississippi needs?

15          A       No.

16          Q       All right. Doctor, I want to shift to  
17 talking about assertive community treatment, or  
18 ACT.

19          A       Okay.

20          Q       Is there such a thing as a fidelity model  
21 for ACT?

22          A       Yes.

1 with SMI in Mississippi?

2 A Only what was in the ACT description that  
3 I received.

4 Q All right. What review did you make of  
5 what integrated dual disorders treatment services  
6 are offered in Mississippi for people with SMI?

7 A I don't understand the question.

8 Q Did you make any determinations regarding  
9 the degree to which Mississippi offers integrated  
10 dual disorders treatment services?

11 A I wasn't asked to do that.

12 Q Would that be true for each of the  
13 components of a reasonable community-based  
14 services system?

15 A Yes. I only viewed them through the lens  
16 of the 154 patients that we examined.

17 Q Do you have any opinions regarding where  
18 peer support services should be offered within the  
19 Mississippi mental health system?

20 A No. I haven't studied the system as a  
21 system. I wasn't asked to do that.

22 Q Because you didn't study the system as a

1 Q Is there any standard or metrics for  
2 determining how much permanent supported housing  
3 any given state should have?

4 A I don't know the answer. There may be,  
5 but I don't know.

6 Q What are medical care homes?

7 A Medical care homes refers to the attempt  
8 to combine primary medical care and community  
9 mental health care in the same setting.

10 Q What types of individuals are medical  
11 care homes appropriate housing for?

12 A Oh, it doesn't refer to housing.

13 Q It doesn't?

14 A No.

15 Q What does it refer to?

16 A It refers to an integrated community  
17 service model. In other words --

18 Q When would one go to a medical care home?

19 A It's mental health jargon.

20 Q Okay.

21 A It refers to -- it's not a home.

22 Q It's not a home.

1 surprised there hadn't been more empirical work  
2 done on that. But I'm sure there hasn't been on  
3 this issue in...

4 Q How do you determine whether a state has  
5 sufficient community based services to meet the  
6 needs of its adult SMI population? Or is that  
7 outside your area?

8 A Yeah. You keep asking me about system  
9 design and cost issues, and I'm not an expert in  
10 those areas.

11 Q So that being the case, do you have any  
12 views on whether any states currently have  
13 sufficient community-based services to meet the  
14 needs of their adults with SMI?

15 A I can't answer that. I know some states  
16 do better than others, but I don't know if any  
17 state has -- is really doing a good job.

18 Q In your experience, are there barriers to  
19 receiving community based services in Mississippi  
20 that do not exist in other states?

21 A I can't answer that. I wouldn't know.

22 Q I think I just have one more question and